IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 28TH NOVEMBER 2007 / 7TH AGRAHAYANA 1929

WA.No. 2819 of 2007()

AGAINST THE JUDGEMENT/ORDER IN WPC.31065/2007 Dated 19/10/2007
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APPELLANT: PETITIONER:

G.VINAYA KUMAR, VILLUMANGALATHU VEEDU,
NCC ROAD, PEROORKADA P.O., THIRUVANANTHAPURAM.

BY ADV. SRI.S.NARAYANAN NAIR
SRI.R.GOPALAKRISHNAN (SREEVALSAM)

RESPONDENTS: RESPONDENTS:
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1. PRINCIPAL SECRETARY, HIGHER EDUCATION(J)
DEPARTMENT, GOVT. OF KERALA, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE SECRETARY, PERSONAL AND
ADMINISTRATIVE REFORMS, (ADVICE-C)DEPARTMENT,
GOVT. OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM.

3. THE DIRECTOR, TECHNICAL EDUCATION
DEPARTMENT, GOVT. OF KERALA, THIRUVANANTHAPURAM.

BY GOVT. PLEADER SRI.BENNY GERVASIZ

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 28/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN & T.R.RAMACHANDRAN NAIR, JJ.

W.A.No.2819 OF 2007

Dated this the 28th day of November, 2007

JUDGMENT

Radhakrishnan, J.

Petitioner seeks a writ of mandamus directing the first respondent to post the petitioner as lower division clerk relaxing the stipulation regarding maximum age. Petitioner also seeks a declaration that Exts.P8 is null and void in so far as it discriminates unmarried brother and unmarried sister with father and mother for relaxation of maximum age for assistance under compassionate employment scheme. The benefit of compassionate employment scheme itself is a concession and therefore the benefit need not be given by the authority to unmarried brother and unmarried sister. It open to the petitioner to move the Government raising all his contentions. It is for the Government to examine as to whether the benefit of relaxation of maximum age for assistance under compassionate employment scheme can be given to unmarried sister or unmarried brother. Reserving that right of the petitioner, writ appeal is dismissed.

K.S.RADHAKRISHNAN
JUDGE

T.R.RAMACHANDRAN NAIR
JUDGE

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